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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

FILED

JAN 25 2008
JAN 25, 2008
MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

SHIRELLE M. WILLIAMS,

Plaintiff,

vs.

CORRY MICHAEL SHOWERS and
AMERICAN LOGISTICS SERVICES, LLC,

Defendants.

Case No. 2008 C 531

Judge Zagel

Magistrate Judge Mason

NOTICE OF FILING

To: Mark T. Solmor
Friedman and Solmor, Ltd.
200 N. La Salle St., Ste. 2750
Chicago, IL 60601

YOU ARE HEREBY NOTIFIED that on January 25, 2008 there was to be filed with the United States District Court for the Northern District of Illinois, located at the Dirksen Federal Building, 219 S. Dearborn Street, Chicago, Illinois, Defendants' *Answers to Plaintiff's Complaint at Law*, a copy of which is attached hereto and served upon you.

Shimon B. Kahan - ARDC No. 6207172
HAYNES, STUDNICKA, KAHAN, O'NEILL & MILLER, LLC
Attorney for Defendants
200 W. Adams St., Ste. 500
Chicago, IL 60606-5215
Tel: (312) 332-6644
skahan@hskolaw.com

CERTIFICATE OF SERVICE

I hereby certify that on January 25, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the Law Offices of Mark T. Solmor and also hereby certify I sent via U. S. Mail at 200 West Adams St., Chicago, Illinois on January 25, 2008, with proper postage prepaid.

/s/ Shimon B. Kahan

Shimon B. Kahan - ARDC No. 6207172

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**DEFENDANTS' ANSWER TO PLAINTIFF'S
FIRST AMENDED COMPLAINT AT LAW**

Now comes Defendants, CORRY MICHAEL SHOWERS and AMERICAN LOGISTICS SERVICES, LLC, by and through their counsel, Shimon B. Kahan of HAYNES, STUDNICKA, KAHAN, O'NEILL & MILLER, LLC, and hereby Answer Plaintiff's First Amended Complaint at Law, as follows:

1. That on the 17th day of June 2007, the Plaintiff, SHIRELLE M. WILLIAMS, was a passenger in a motor vehicle that was proceeding in an easterly direction along and upon I-90 at or near Roselle Road in the City of Schaumburg, County of Cook, and State of Illinois.

ANSWER: Defendants admit the allegations contained in Paragraph 1.

2. That on said date, the Defendant, CORRY MICHAEL SHOWERS, was the operator of a semi-trailer truck which was proceeding in an easterly direction along and upon I-90 at or near Roselle Road in the City of Schaumburg, County of Lake, and State of Illinois.

ANSWER: Defendants deny that he was operating a vehicle in the County of Lake (as pled by counsel even though Plaintiff alleged that the accident took place in Cook County in para. 1), the Defendants admit the remaining allegations contained in Paragraph 2.

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3. That on said date, AMERICAN LOGISTICS SERVICES, LLC, was the owner of the motor vehicle mentioned in Paragraph (2) above.

ANSWER: Defendants admit the allegations contained in Paragraph 3.

4. That at all times pertinent hereto, the Defendant, CORRY MICHAEL SHOWERS, was the duly authorized agent of the Defendant, AMERICAN LOGISTICS SERVICES, LLC.

ANSWER: In his limited capacity as a tractor-trailer driver, Defendants admit the allegations contained in Paragraph 4.

5. That at all times pertinent hereto, it was the duty of the Defendants, CORRY MICHAEL SHOWERS and AMERICAN LOGISTICS, LLC, operator and owner respectively, to exercise ordinary care for the safety of the Plaintiff.

ANSWER: Defendants admit only to those duties imposed under the laws of the State of Illinois and deny any allegations inconsistent therewith.

6. That notwithstanding said duty, the Defendants, CORRY MICHAEL SHOWERS and AMERICAN LOGISTICS SERVICES, LLC, were guilty of one or more of the following negligence acts or omissions:

- a) Operated their semi-tractor trailer truck at an excessive rate of speed under the circumstances;
- b) Failed to keep a proper lookout;
- c) Failed to keep their semi-tractor trailer under proper control;
- d) Failed to warn the Plaintiff of the impending danger by sounding their horn and operating their turn signal when such warning was reasonably necessary to insure safety; and
- e) Followed too close.

ANSWER: The Defendants deny each and every allegation contained in Paragraph 6, including the allegations of subparagraphs (a) through (e), inclusive.

7. That as a direct and proximate result of one or more of the aforementioned negligent acts or omissions of the Defendants, the Defendants' semi-tractor trailer truck struck the rear of the motor vehicle occupied by the Plaintiff, resulting in the Plaintiff sustained injury to various portions of her body; requiring her to expend money for medical care and treatment; resulting in her experiencing pain, suffering and mental anguish both now and in the future; resulting in her becoming both temporarily and permanently disabled and disfigured; and resulting in her losing money due to her inability to maintain her employment for a period of time.

ANSWER: Defendants deny each and every allegation contained in Paragraph 7, and deny that as direct and proximate result of any act or omission on their part that the Plaintiff was injured. Defendants deny Plaintiff was injured in the matter and to the extent alleged, but demands strict proof there for each and every element of injury and damages claimed. Further, in accordance with 11-16 and 11-17 of the Illinois Code of Civil Procedure, these Defendants' liability in tort is limited in accordance with those statutes. Further, in accordance with 735 ILCS 5/2-1117, Defendants are only severe liable for damages as set forth under that statute.

DEFENDANTS DEMAND TRIAL BY JURY.

Respectfully submitted,

HAYNES, STUDNICKA, KAHAN, O'NEILL & MILLER, LLC

/s/ Shimon B. Kahan

Shimon B. Kahan - ARDC No. 6207172

HAYNES, STUDNICKA, KAHAN, O'NEILL & MILLER, LLC

Attorney for Defendant

200 W. Adams St., Ste. 500

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skahan@hskolaw.com

VERIFICATION

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters herein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.

/s/ Shimon B. Kahan
Shimon B. Kahan - ARDC No. 6207172
HAYNES, STUDNICKA, KAHAN, O'NEILL & MILLER, LLC
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